

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN  
MILWAUKEE DIVISION

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WISCONSIN GAS LLC,

Plaintiff,

v.

Case No. 2:20-cv-1334

AMERICAN NATURAL RESOURCES  
COMPANY,

Defendant.

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**DECLARATION OF MARK LEMAHIEU**

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I, Mark LeMahieu, hereby declare and certify as follows:

1. I am over 18 years of age. The statements herein are true based on my personal knowledge and I am competent to testify thereto.
2. I have been the Records Manager for WEC Energy Group since September of 2016.
3. Each of the documents attached hereto is a true and correct copy of a business record in the custody of WEC Energy Group, inclusive of Wisconsin Gas LLC.
4. The document attached hereto as Exhibit 1 is a true and correct copy of a US EPA Enforcement Action Memorandum and attachments dated May 17, 2019, bates stamped WG-ANR-00137976-WG-ANR-00138063.
5. The document attached hereto as Exhibit 2 is a true and correct copy of a letter from CSX Transportation to USEPA regarding information requests on Solvay Coke site dated September 23, 2004, bates stamped WG-ANR-00000299-WG-ANR-00000371.
6. The document attached hereto as Exhibit 3 is a true and correct copy of a

compilation of corporate history documents for Newport Company, Cleveland Cliffs, Cliffs Mining, and Koppers Company Inc. with documents of various dates, bates stamped WG-ANR-00001740-WG-ANR-00001872.

7. The document attached hereto as Exhibit 4 is a true and correct copy of a photocopy of Volume III of Secretary's Record for Milwaukee Gas Light Company containing meeting minutes for various meetings taking place between April 14, 1902, and May 18, 1914, bates stamped WG-ANR-00080667-WG-ANR-00081022.

8. The document attached hereto as Exhibit 5 is a true and correct copy of Volume V of the Minutes of the Milwaukee Gas Light Company containing meeting minutes for various meetings taking place between February 5, 1923, and February 17, 1927, bates stamped WG-ANR-00081243-WG-ANR-00081726.

9. The document attached hereto as Exhibit 6 is a true and correct copy of the response of American Light & Traction Company to a Questionnaire from the Special Senate Committee appointed to Investigate Lobbying Activities in 1935, bates stamped WG-ANR-00074249-WG-ANR-00074299, as contained in WEC's records.

10. The document attached hereto as Exhibit 7 is a true and correct copy of Cliff Mining Response to EPA, bates stamped WG-ANR-00121250-WG-ANR-00121624.

11. The document attached hereto as Exhibit 8 is a true and correct copy of a response of Wisconsin Electric Company and Wisconsin Gas LLC to USEPA 104(e) Information Request for the Solvay Coke and Gas Site, Milwaukee, Wisconsin dated October 28, 2004, bates stamped WG-ANR-00046079-WG-ANR-00046093.

12. The document attached hereto as Exhibit 9 is a true and correct copy of the Official Report of Proceedings before the Securities and Exchange Commission in the matter of *United*

*Light and Railway Company, et al.*, Docket No. 54-25, pages 31-3207 through 31-3353, dated November 24, 1952 and bates stamped WG-ANR-00073896-WG-ANR-00074044.

13. The document attached hereto as Exhibit 10 is a true and correct copy of Milwaukee Gas Light Company's Statement in Response to Request for Exhibit 92 concerning the economic impact of the sale of the Coke Company properties in the matter of *United Light and Railway Company, et al.*, Docket No. 54-25, bates stamped WG-ANR-00073750-WG-ANR-00073750.

14. The document attached hereto as Exhibit 11 is a true and correct copy of a list of Milwaukee Coke & Gas Company and Milwaukee Gas Light Company Directors and Executive Officers for the years 1926-1932 dated October 28, 1932, bates stamped WG-ANR-00054546-WG-ANR-00054549.

15. The document attached hereto as Exhibit 12 is a true and correct copy of Milwaukee Gas Light Company's Form 10-K Annual Report to the Securities and Exchange Commission for the fiscal year ended December 31, 1950, dated May 29, 1951 and letter from the SEC to Milwaukee Gas Light Company with suggestions dated November 2, 1951, bates stamped WG-ANR-00049839-WG-ANR-00049885.

16. The document attached hereto as Exhibit 13 is a true and correct copy of a letter from Arthur Andersen & Co. to the Board of Directors for Milwaukee Gas Light Company regarding examination of Milwaukee Gas Light Company's Form 10-K Annual Report to the Securities and Exchange Commission for the fiscal year ended December 31, 1952, dated March 10, 1953, bates stamped WG-ANR-00006284-WG-ANR-00006299.

17. The document attached hereto as Exhibit 14 is a true and correct copy of Milwaukee Gas Light Company's Form 10-K Annual Report to the Securities and Exchange Commission for the fiscal year ended December 31, 1953, dated May 5, 1954, bates stamped WG-ANR-00050135-

WG-ANR-00050164.

18. The document attached hereto as Exhibit 15 is a true and correct copy of Milwaukee Gas Light Company's Form 10-K Annual Report to the Securities and Exchange Commission for the fiscal year ended December 31, 1954, dated April 29, 1955, bates stamped WG-ANR-00049677-WG-ANR-00049722.

19. The documents attached hereto as Exhibit 16 is a true and correct copy of a transcript for the hearing before the SEC in the matter of *Milwaukee Gas Light Company*, Docket No. 70-3692, dated June 4, 1958, bates stamped WG-ANR-00052251-WG-ANR-00052300 and WG-ANR-00052302-WG-ANR-00052416.

20. The document attached hereto as Exhibit 17 is a true and correct copy of a transcript of "The Story of American Natural Gas Company" by Carl Claussen for talk given before the Citigas Executives Luncheon Club on November 17, 1964, bates stamped WG-ANR-00007183-WG-ANR-00007195.

21. The document attached hereto as Exhibit 18 is a true and correct copy of a letter from Louis Kreuz, President of Milwaukee Solvay Coke Company, to Ralph McElvenny, Executive Vice President of American Natural Gas Service Company dated May 28, 1953, bates stamped WG-ANR-00077055-WG-ANR-00077056.

22. The document attached hereto as Exhibit 19 is a true and correct copy of a letter from Chas. R. Hetherington outlining conclusions and recommendations from study requested by American Natural Gas Company of Milwaukee Solvay Coke Company dated June 10, 1959, bates stamped WG-ANR-00006870-WG-ANR-00006875.

23. The document attached hereto as Exhibit 20 is a true and correct copy of a document detailing Acquisition of Coke Company by American Light & Traction Company and additional

investments by American Light & Traction Company and Milwaukee Gas Light Company, dated December 9, 1952, bates stamped WG-ANR-00036272-WG-ANR-00036272.

24. The document attached hereto as Exhibit 21 is a true and correct copy of a History of Milwaukee Solvay Coke Company by WE Energies, bates stamped WG-ANR-00046300-WG-ANR-00046311.

25. The document attached hereto as Exhibit 22 is a true and correct copy of a Log Book Notes by WE Energies, bates stamped WG-ANR-00046252-WG-ANR-00046263.

26. The document attached hereto as Exhibit 23 is a true and correct copy of the 1958 Annual Report of American Natural Gas Company, bates stamped WG-ANR-00011899-WG-ANR-00011923.

27. The document attached hereto as Exhibit 24 is a true and correct copy of the Report on the Operations of Milwaukee Solvay Coke Company completed by Chas. R. Hetherington & Co., Ltd., dated June 1, 1959, bates stamped WG-ANR-00006876-WG-ANR-00006916.

28. The document attached hereto as Exhibit 25 is a true and correct copy of the Answer of Defendant, American Light & Traction Company, filed in matter in New Jersey Chancery court in the case captioned *Harry Helfman, et. al., Complainants and American Light & Traction Company, et als., Defendants*, bates stamped WG-ANR-00078028-WG-ANR-00078160.

29. The document attached hereto as Exhibit 26 is a true and correct copy of the Amendment to Answer of Defendant, American Light & Traction Company, filed in matter in New Jersey Chancery court in the case captioned *Harry Helfman, et. al., Complainants and American Light & Traction Company, et als., Defendants*, dated September 13, 1932, and bates labeled WG-ANR-00078161-WG-ANR-00078296.

30. The document attached hereto as Exhibit 27 is a true and correct copy of the brief

of American Natural Gas Company before the SEC in the matter of *United Light & Railways Company et al.*, File Nos. 59-11, 59017, and 54-25 dated March 19, 1953 and bates stamped WG-ANR-00006338-WG-ANR-00006378.

31. The document attached hereto as Exhibit 28 is a true and correct copy of detailed Investments by American Light & Traction Co. and Milwaukee Gas Light Company, dated December 12, 1952, bates stamped WG-ANR-00032282-WG-ANR-00032282.

32. The document attached hereto as Exhibit 29 is a true and correct copy of the 1949 Annual Report of American Natural Gas Company, bates stamped WG-ANR-00011675-WG-ANR-00011701.

33. The document attached hereto as Exhibit 30 is a true and correct copy of the 1953 Annual Report of American Natural Gas Company, bates stamped WG-ANR-00011772-WG-ANR-00011791.

34. The document attached hereto as Exhibit 31 is a true and correct copy of the oral argument transcript for proceedings before the SEC in the matter of *Milwaukee Gas Light Company*, Docket No. 70-3692, dated July 24, 1958 and bates stamped WG-ANR-00052417-WG-ANR-00052502.

35. The document attached hereto as Exhibit 32 is a true and correct copy of a photocopy of Volume X of the Minutes of the Milwaukee Gas Light Company containing meeting minutes for various meetings taking place between July 12, 1939 and February 21, 1945, bates stamped WG-ANR-00082743-WG-ANR-00083069.

36. The document attached hereto as Exhibit 33 is a true and correct copy of American Natural Gas Service Company's SEC Form U-13-1 Declaration with Respect to Organization and Conduct of Business Subsidiary Service Company Pursuant to Rule U-88 received by the Public

Service Commission of Wisconsin on November 4, 1949 and bates stamped WG-ANR-00006020-WG-ANR-00006033.

37. The document attached hereto as Exhibit 34 is a true and correct copy of the October 1947 edition of *Milwaukee Solvay News*, bates stamped WG-ANR-00031259-WG-ANR-00031261.

38. The document attached hereto as Exhibit 35 is a true and correct copy of the March 1949 edition of *Milwaukee Solvay News*, bates stamped WG-ANR-00031262-WG-ANR-00031265.

39. The document attached hereto as Exhibit 36 is a true and correct copy of the January 1950 edition of *Milwaukee Solvay News*, bates stamped WG-ANR-00004839-WG-ANR-00004840.

40. The document attached hereto as Exhibit 37 is a true and correct copy of meeting minutes from the Regular Meeting of the Board of Directors of Milwaukee Gas Light Company held on November 20, 1939, bates stamped WG-ANR-00011222-WG-ANR-00011238.

41. The document attached hereto as Exhibit 38 is a true and correct copy of a letter from Glenn Chamberlain to the Public Service Commission of Wisconsin regarding approval of proposed contract between Milwaukee Gas Light Company and American Natural Gas Service Company dated November 3, 1949, bates stamped WG-ANR-00036554-WG-ANR-00036555.

42. The document attached hereto as Exhibit 39 is a true and correct copy of the 1953 Milwaukee Gas Light Company Annual Report, bates stamped WG-ANR-00048378-WG-ANR-00048393.

43. The document attached hereto as Exhibit 40 is a true and correct copy of a letter from Louis Kreuz, President of Milwaukee Solvay Coke Company, to Gordon Black, Vice-

President-Treasurer of Milwaukee Gas Light Company dated January 6, 1953, bates stamped WG-ANR-00132702-WG-ANR-00132702.

44. The document attached hereto as Exhibit 41 is a true and correct copy of the Application of Milwaukee Gas Light Company for Disclaimer Over, or in the Alternative for Approval of, Distribution of Milwaukee Solvay Coke Company Stock to American Natural Gas Company dated December 21, 1954, bates stamped WG-ANR-00006482-WG-ANR-00006485.

45. The document attached hereto as Exhibit 42 is a true and correct copy of a letter from Sidley, Austin, Burgess & Smith to the SEC regarding allocation of income tax liabilities between System Companies after liquidation and dissolution of MSC Corporation under for File No. 70-4064 proceedings under the Public Utility Holding Company Act of 1935, bates stamped WG-ANR-00052828-WG-ANR-00052829.

46. The exhibits numbered 3-6 and 9-42, are copies of records prepared more than twenty (20) years ago, were stored in a place where it would likely be found, and were stored in a condition that does not create suspicion as to their authenticity.

47. I hereby certify that, to the best of my knowledge and belief, all records attached hereto were made at or near the time by, or from information transmitted by, a person with knowledge of those matters.

48. All of the records attached hereto have been kept and maintained by WEC Energies Group, inclusive of Wisconsin Gas LLC, in the normal course of regularly conducted business activities.

Pursuant to 28 U.S.C. § 1746, I certify under penalty of perjury that the foregoing is true and correct.



Date: January 27, 2023

Mark LeMahieu  
Mark LeMahieu (Jan 27, 2023 12:05 CST)

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Mark LeMahieu